

REMARKS

Claims 1-9 were presented at the time of filing. Claims 1-6 were cancelled and rewritten as new claims 10-13 in response to a Restriction Requirement and Amendment filed November 13, 2006. Claims 7-13 were pending in the application with claims 11-13 withdrawn from consideration as being directed to a non-elected invention. Claims 8 and 10-13 are cancelled above and claims 7 and 9 are amended. Claims 7-9 remain pending in the application.

The Office Action indicates that claim 9 is allowed. Claim 9, as amended above, now appears in independent form. Claim 7 is also amended; support for the amendment to claim 7 appears in the specification at the last two paragraphs bridging pages 11 and 12 in the section entitled *Determination of the associated antibody-binding epitopes of the hTSH receptor*.

Rejections under 35 U.S.C. §§ 102 and 103


The claims are rejected under 35 U.S.C. § 102(e) as being anticipated by and in the alternative under 35 U.S.C. § 103(a) as obvious in view of Rapoport et al. (U.S. 6,747,139). For reasons of record, Applicants disagree. However, in the interest in advancing prosecution, claims 8 and 10-13 are cancelled above. Claim 9 now appears in independent form. Claim 7 is amended above to clearly identify the specific epitope to which the claimed antibody binds.

Rapoport et al. do not disclose the identity of any antibody binding epitopes on the hTSH receptor to which any anti-TSH-receptor antibodies bind, nor would they be known (or obvious) to one of skill in the art in the absence of empirical evidence derived from, for example, an epitope mapping study using synthetic peptides or expressed fragments of the TSH-receptor ectodomain to delineate the antibody binding site.

In view of the above amendment, the case is now in condition for allowance.
Withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 is respectfully requested.

The Examiner is requested to contact Applicants' undersigned attorney at the telephone number listed below before issuing an advisory action.

Respectfully submitted,


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